

REPORT OF THE BOARD OF STEWARDS

BAY MEADOWS RACE COURSE

SAN MATEO, CA.

To the California Horse Racing Board

Arnold Schwarzenegger, Governor

Honorable Richard B. Shapiro, Chairman

Honorable John C. Harris, Vice Chairman

Honorable John W. Amerman, Member

Honorable John Andreini, Member

Honorable Jesse H. Choper, Member

Honorable Marie G. Moretti, Member

Honorable Jerry Moss, Member

Kirk E. Breed, Executive Director

Richard "Bon" Smith, Assistant Executive Director

BOARD OF STEWARDS

Grant Baker- John Herbuveaux- Darrel McHargue

Report for the period Thursday, March 13, through Monday, March 17, 2008.

3/13/08 THURSDAY

(1) EARLY DECLARATIONS

6th race #6 MELBA TOAST
vet- sick Diane Isbell D.V.M.

(Tr. Duane Offield)
Refunds \$ 100.10

7th race # 2 POK LUCK
vet- injured Diane Isbell D.V.M.

(Tr. Donald Jeffries)
Refunds \$ 55.70

(2) LENZINI HEARING- Refer 2-21-08 (2) & 2-22-08 (4)

Testimony and evidence were given and received in a formal hearing for Trainer Mike Lenzini who was the subject of a complaint after the horse LADY WOODMAN showed an excess level of TCO2 in a pre race blood sample taken on September 17, 2006.

Today was the third and final session which consisted of brief testimony followed by closing arguments. The Stewards will ponder the facts of the case and render a decision in the near future.

(3) LATE SCRATCH – FIRST RACE – REFUND

#5 BUDDYS MANDATE, trained by John Martin, was scratched on the advice of track veterinarian Jessica Christiansen during the warm up period after she reported the horse was unsound. On Vet's List. The refund amounted to \$ 9,799.01.

(4) LATE SCRATCH – EIGHTH RACE- REFUND

#4 MARY MAC’S ROCKET, trained by Alberto Arreola, was scratched on the recommendation of Dr. Christiansen, as the field neared the starting gate after she diagnosed the mare as off in the left front. On Vet’s List. The refund totaled \$ 8,222.48.

(5) ATTENDANCE – HANDLE

On Track Attendance	1,311
N-Cal Attendance	3,760
On Track Handle	\$391,890.90
N-Cal Handle	\$1,213,587.60
<u>S Cal on N Cal</u>	<u>\$ 493,426.70</u>
Total Handle	\$2,986,097.96

3/14 FRIDAY

(1) PASZKEICZ RULING

Ruling # 26

Trainer Alexander Paszkeicz whose horse COUNT ME TWICE was scratched from the sixth race at Bay Meadows on March 14, 2008 is fined the sum of one hundred dollars (\$100.00) pursuant to California Horse Racing Board Rule #1437 (Conditions of A Race Meeting-Failure to Have Sufficient Workouts)*

The above ruling was issued after Alex contacted the Stewards by phone and waived his right to a formal hearing. Alex admitted he erred in not having his horse on a proper workout regime that would have insured sufficient workouts prior to entry time.

(2) HARRIS RULING

Ruling # 27

In the Matter Of: Owner/ Trainer Andrew Harris

The outstanding financial obligation to the California Authority of Racing Fairs (CARF) having been resolved, all license privileges of Owner/Trainer Andrew Harris are restored to good standing and Pacific Racing Association Ruling #53 dated January 18, 2008, suspending Andrew Harris for violation of California Horse Racing Board Rule # 1547 (Failure to Appear), is hereby set aside.

The above ruling was issued after the Stewards received word from CARF that Harris had finally paid all the money due for a fine imposed pursuant to a stipulated agreement with the California Horse Racing Board.

(3) EARLY DECLARATIONS

5th race # 6 NORTHWIND LUCK
vet- sick Diane Isbell D.V.M.

(Tr. D Wayne Baker)
Refunds \$ 114.00

(4) PROBLEM FREE

The afternoon's eight race program was completed without noteworthy incident.

(5) ATTENDANCE- HANDLE

On Track Attendance	1,158
N-Cal Attendance	3,485
On Track Handle	\$ 397,406.80
N-Cal Handle	\$1,383,540.20
<u>S Cal on N Cal</u>	<u>\$ 541,444.60</u>
Total Handle	\$3,379,560.06

3/15/08 SATURDAY

(1) EARLY DECLARATIONS

3rd race #2 DOUBLE ACTION
Stewards, stakes race

(Tr. Jerry Hollendorfer)
Refund \$ 141.00

6th race # 11 DEFICIT
vet- sick, Dr. Isbell D.V.M.

(Tr. Bruce Dillenbeck)
Refunds \$ 81.60

(2) KENGYE RULING

Ruling # 28

Owner Lajos Kengye, having failed to abide by the terms of a signed financial complaint agreement with San Francisco Equine, Inc. is suspended for violation of California Horse Racing Board Rule # 1876 (Financial Responsibility).

The above ruling was issued after the Stewards received written verification that Kengye had stopped making the agreed upon payments necessary to retire a \$5,237.00 obligation he acknowledged was due for veterinary services rendered.

(3) LATE SCRATCH – FOURTH RACE – REFUND

#6 MO FASTA MO BETTA, trained by Armando Lage, was scratched by the Stewards during the warm up on the recommendation of Dr. Christiansen who stated the horse was off in the left front. On Vet's List. The refund was \$ 6,320.64.

(4) STEWARDS INQUIRY – OBJECTION – SIXTH RACE – NO CHANGE

The Stewards lit the inquiry lamp to evaluate an incident near the 5/8 which saw #1 HUMUROUS GUY (8TH, Joe Castro) steady while racing in close quarters along the rail. After a thorough review the Stewards affirmed the original order of finish.

Tapes showed that #5 TAYLOR COUNTY (1st, Jorge Ayarza) drifted in down the backstretch floating #4 COYOTE MOON (3rd, Frank Alvarado) and #3 MAYOR OF DEL MAR (10th, Barrington Harvey) toward the inside rail which caused Castro to steady and momentarily lose stride due to the outside pressure. While the Stewards were unanimous that HUMOROUS GUY suffered interference it was not certain the incident cost the horse a better placing so the order of finish was allowed to stand. Ayarza will view the tapes of the race with the Stewards in the morning.

(5) ATTENDANCE – HANDLE

On Track Attendance	3,608
N-Cal Handle	7,637
On Track Handle	\$ 1,081,855.00
N-Cal Handle	\$ 2,616,834.10
<u>S Cal on N Cal</u>	<u>\$ 919,039.10</u>
Total Handle	\$ 5,202,641.70

3/16/08 SUNDAY

(1) EARLY DECLARATIONS

5 TH race #5 WE WILL PREVAIL vet- sick, Diane Isbell D.V.M.	(Tr. Jim Barnes) Refunds \$ 790.50
6 th race #2 A SHORE THING vet- sick Diane Isbell D.V.M.	(Tr. Armando Lage) Refunds \$ 162.50
7 th race # 3 ROOSEVELDT vet- sick, Diane Isbell D.V.M.	(Tr. Steve Sherman) Refunds \$ 2,089.10
8 th race # 5 T J'S DIXIE vet- sick, Diane Isbell D.V.M.	(Tr. Jerry Hollendorfer) Refunds \$ 495.50

(2) AYARZA RULING

Ruling # 29

Jockey Jorge Ayarza who rode TAYLOR COUNTY in the sixth race at Bay Meadows Race Course on Saturday, March 15, 2008 is suspended five (5) racing days (March 23, 24, 27, 28 and 29, 2008) for failure to make a proper effort to maintain a straight course on the backstretch and causing interference. A violation of California Horse Racing Board Rule # 1699 (d) (Riding Rules – Careless Riding).

The above ruling was issued after Ayarza appeared to review the tapes of the race with the Stewards. Jorge was accompanied by fellow Jockey David Lopez who assisted in interpreting. Ayarza acknowledged he was not sufficiently clear when he allowed his mount to drift in near the 5/8 which resulted in an inside rival suffering interference. Since Jorge was suspended for a similar infraction just over a month ago a five day penalty was imposed.

(3) NEW CONCEPT

A new concept in claiming/starter allowance races is being introduced today with the running of the first leg of the Triple Play Race Series. The concept is based on the idea that the first leg of the three race series will be a claiming race in which all participants must run should they wish to be eligible to run in the second and third races of the series.

The first leg to be run today will be a claiming race in which all participants will be eligible to be claimed for a price of \$10,000.00. There are sixteen (16) entrants today and there will be two heats with eight head in each race. Because the purses are considerably higher for this series than regular \$10,000.00 claiming races many people are considering claiming horses in today's two races in order to have a horse for the second and third legs of the series.

Since the second and third legs of the series are run under starter allowance conditions in which the horses will not be eligible to be claimed the situation we are facing today does not pertain to the second and third legs.

With interest high in claiming the current rules are coming under scrutiny especially with respect to one person or one interest being able to submit more than one claim in a claiming race. The rules are sufficiently vague when it comes to individual owners being able to personally deposit a claim even if that would cause their trainer to have more than two claims deposited on his behalf.

Conversations between this Board of Stewards and the Stewards at Santa Anita produced different interpretations of rule 1652 (g) (Prohibited Actions with Respect to Claims). This Board of Stewards allowed numerous claims to be personally deposited by individual owners who were present and signed the claim blank even if that caused a trainer to have more than two claims deposited on his behalf. This was allowed because the trainer was not acting as an authorized agent on behalf of those owners they were acting on their own behalf.

This matter should be brought up and discussed at a Stewards Committee meeting so either the rules can be clarified or the different interpretations can be reconciled.

(4) LATE SCRATCH – THIRD RACE – REFUND

#5 SOMETHINTOMAKIMRUN, trained by Steve Miyadi, was scratched by the Stewards when Dr. Christiansen reported the horse injured himself after becoming fractious in the starting gate. On Vet's List. The refund was \$ 103,110.16

(5) LATE SCRATCH- SEVENTH RACE – REFUND

#4 BUB, trained by Bud Klokstad, was scratched during the warm up period after Dr. Christiansen diagnosed the horse as off in the left front. On Vet's List. The refund amounted to \$ 44,901.44

(6) HANDLE – ATTENDANCE

On Track Attendance	2,516
N-Cal Attendance	5,942
On Track Handle	\$ 780,508.20
N-Cal Handle	\$1,991,292.70
<u>S Cal on N Cal</u>	<u>\$ 800,624.70</u>
Total Handle	\$4,189,400.81

3/17/08 MONDAY

(1) EARLY DECLARATIONS

5 th race # 1 HOT GRIP vet, unsound Diane Isbell D.V.M.	(Tr. Robert Bean) Refunds \$ 937.70
7 th race # 4 DIVINE AFTERNOON vet, sick Diane Isbell D.V.M.	(Tr. John Martin) Refunds \$ 297.00
8 th race # 6 HOME PORT vet, sick Diane Isbell D.V.M.	(Tr. C J Jenda) Refunds \$ 261.00
#2 WE ALL LOVE ALEYNA vet, sick Diane Isbell D.V.M.	(Tr. R.B.Hess) Refunds \$ 377.00
#5 BLACK JACK ATTACK vet, sick Diane Isbell D.V.M.	(Tr. Armando Lage) Refunds \$573.70

(2) CAL BRED REPORT

All the California Bred Races written this week failed to attract sufficient entries and were cancelled.

(3) ROBERTSON RULING

Ruling # 30

In The Matter Of: Owner/Trainer Craig W. Robertson

Having entered into a pay agreement with Bay Meadows Racing Association to resolve an outstanding financial obligation, all license privileges of Owner/ Trainer Craig W. Robertson are restored to good standing and Bay Meadows Racing Association Ruling #22, dated March 18, 2007 suspending Craig W. Robertson for violation of California Horse Racing Board Rule # 1547 (Failure to Appear) is hereby set aside.

The above ruling was issued after the Stewards received a signed payment agreement between Robertson and Bay Meadows paymaster of Purses Peggy Morsi. Craig received funds from the Paymaster he should not have received and didn't have the wherewithal to repay the bookkeeper upon demand. He was suspended when he failed to appear at a hearing to address the matter a year ago and has now made arrangements to rectify the situation.

(4) CLEAN RACING

The afternoon's eight race program was conducted without noteworthy incident.

(5) ATTENDANCE HANDLE

On Track Attendance	1,651
N-Cal Attendance	3,934
On Track Handle	\$ 508,549.00
N-Cal Handle	\$1,352,254.60
<u>S Cal on N Cal</u>	<u>\$ 511,620.30</u>
Total Handle	\$3,247,247.46

	13-Mar	14-Mar	15-Mar	16-Mar	17-Mar	WEEK TOTAL	Meet TOTAL
ACCIDENTS	0	0	0	0	0	0	4
CAL-BRED RACES	0	0	0	0	0	0	4
CLAIMS	3	3	1	9	1	17	86
DISQUALIFICATIONS	0	0	0	0	0	0	5
INQUIRIES / OBJECTIONS	0	0	1	0	0	1	18
REFUNDS	4	1	3	6	5	19	104
RULINGS	0	2	1	1	1	5	29

John Herbuveaux

Darrel McHargue

Grant Baker